



# TFW

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**24024**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Goertzen, et al ) Examiner: Spisich, George D  
Serial No.: 10/695,045 )  
Filed: October 27, 2003 ) Art Unit: 3616  
For: VEHICLE HAVING AN ANTI- ) Confirmation No.: 5698  
DIVE/LOCKOUT MECHANISM ) Attorney Docket No.: 12873/04325  
)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B forms and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

**FOREIGN LANGUAGE DOCUMENTS**

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of that portion of the

{DJD1111.DOC:1}

Communication indicating the degree of relevance found by the foreign patent office.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

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Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such documents is required.

**CERTIFICATION AND FEE PAYMENT INFORMATION**

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination under 37 C.F.R. § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

The present Information Disclosure Statement is being filed thirty days or fewer from a Communication from a foreign patent office and Applicant submits the following Statement Under 37 C.F.R. § 1.704(d). Each item of information contained in the Information Disclosure Statement was cited in a Communication from a foreign patent office in a counterpart application and this Communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant submits the following Statement under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than

INFORMATION DISCLOSURE STATEMENT  
Appln. No. 10/695,045

Attorney Docket No. 12873-04325

three months prior to the filing of this statement.

The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. § 1.17(p). The fee is being paid in the following manner:

A check is attached in the amount of \$ 180.00 as required under 37 § 1.17(p).

The patent office is hereby authorized to charge the amount of \$ \_\_\_\_\_ and any related fee to **Deposit Account No. 03-0172**.

The present Information Disclosure Statement is being filed after the mailing of a final Office Action, Notice of Allowance or an action that otherwise closes prosecution in the application, but on or before the payment of the issue fee. Accordingly, Applicant submits the following Statement under 37 C.F.R. § 1.97(e) along with the fee required under 37 C.F.R. § 1.17(p).

Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

AND, the fee is being paid in the following manner:

A check is attached in the amount of \$ \_\_\_\_\_ as required under 37 § 1.17(p).

The patent office is hereby authorized to charge the amount of \$ \_\_\_\_\_ and any related fee to **Deposit Account No. 03-0172**.

INFORMATION DISCLOSURE STATEMENT  
Appln. No. 10/695,045

Attorney Docket No. 12873-04325

**Although no additional fees are believed to be due, please charge any fee deficiencies and credit any overpayments to Deposit Account No. 03-0172.**

Respectfully submitted,

Date: 8/22/03

By: Kenneth Smith  
Kenneth Smith, Reg. No. 45,115  
(216) 622-8674



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT BY APPLICANT

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Sheet

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of 3

## Complete if Known

Application Number	10/695,045
Filing Date	October 27, 2003
First Named Inventor	George D. Spisich
Art Unit	3616
Examiner Name	Gerald Goertzen

Attorney Docket Number 12873-04325

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
1	US- 6,554,086 B1		04-2003	Goetzen et al.	
2	US- 6,640,916 B2		11-2003	Schaffner et al.	
3	US- 6,0763,951 A		06-2000	Jindra et al.	
4	US- 6,199,647 B1		03-2001	Schaffner et al.	
5	US- 6,460,641 B1		10-2002	Kral, Stephen L.	
6	US- 6,129,165 A		10-2000	Schaffner et al	
7	US- 5,848,658 A		12-1998	Pulver, Dale A.	
8	US- 5,944,131 A		08-1999	Schaffner et al.	
9	US- 6,070,898		06-2000	Dickie et al.	
10	US- 6,533,306		03-2003	Watkins, Walter A.	
11	US- 6,041,876		03-28-2000	Pulver et al.	
12	US- 2004/0094944 A1		05-20-2004		
13	US- 2003/0075365 A1		04-24-2003		
14	US- 6,041876		03-28-2000		
15	US- 2003/0205420 A1		11-06-2003	Mulhern et al	
16	US- 6,357,793		03-19-2002	Dickie et al	
17	US- 5,435,404		07-25-1995	Garin II	
18	US- 5,485,140		01-16-1966	Bussin	
19	US- 5,531,284		07-02-1996	Okamoto	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> "Number" "Kind Code <sup>4</sup> (if known)				
1	WO 00/12040		03-09-2000			
2	WO 82/00445		02-18-1982			
3	FR 2.215.054		08-1974			
4	FR 2.399.822		03-1979			
5	WO 90/06097		06-1990			
6	WO 96/15752		05-1996			

Examiner Signature		Date Considered	
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STATEMENT BY APPLICANT**

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Sheet

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of

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Application Number	10/695,045
Filing Date	October 27, 2003
First Named Inventor	Gerald Goertzen
Art Unit	3616
Examiner Name	George D. Spisich

Attorney Docket Number 12873-04325

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		Number-Kind Code <sup>2</sup> (if known)			
20	US- 5,540,297		07-30-1996	Meier	
21	US- 5,575,348		11-19-1996	Goertzen et al	
22	US- 5,628,377		05-13-1997	Le Gloan	
23	US- 5,701,122		12-23-1997	Canedy	
24	US- 5,772,237		06-30-1998	Finch et al.	
25	US- 5,848,658		12-15-1998	Pulver	
26	US- 5,855,387		01-05-1999	Gill et al.	
27	US- 5,904,214		05-18-1999	Lin	
28	US- 5,944,131		08-31-1999	Schaffner et al.	
29	US- 5,957,474		09-28-1999	Mundy et al	
30	US- 5,964,473		10-12-1999	Degonda et al	
31	US- 6,070,898		06-06-2000	Dickie et al.	
32	US- 6,129,165		10-10-2000	Schaffner et al.	
33	US- 09/765,022		01-18-2001	Walkins	
34	US- 2001/0011612 A1		08-2001	Takenaka et al.	
35	US- 2003/0159862 A1		08-2003	Wu, Donald P.H.	
36	US- 2004/0004342 A1		01-2004	Mulhem et al.	
37	US- 2004/0084230 A1		05-2004	Grymko et al	
38	US- 6,494,474 B1		12-2002	Kramer, Jr., DuWayne	

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		Country Code <sup>3</sup> *Number *Kind Code <sup>4</sup> (if known)				
7	WO 03/101364 A2		12-11-2003			
8	WO 00/66060		11-09-2000			
9	WO 03/101364 A3		12-11-2003			
10	WO 99/17700		04-1999			
11	WO 00/54718		09-2000			

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Sheet 3

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39	US- 2004/0150204	08-05-2004	Goertzen et al		
40	US- 1,773,254	12-07-1928	Becker		
41	US- 2,767,995	06-08-1953	Stout		
42	US- 3,104,112	07-02-1962	Cail		
43	US- 3,282,605	11-01-1966	Nihlean et al		
44	US- 3,580,591	05-25-1971	Coffey		
45	US- 3,848,883	11-19-1974	Breacain		
46	US- 4,513,832	04-30-1985	Engman		
47	US- 4,515,385	05-07-1985	Christian		
48	US- 4,542,918	09-24-1985	Singleton		
49	US- 4,721,321	01-26-1988	Haury et al		
50	US- 4,963,910	09-16-1988	Brandli et al		
51	US- 5,113,959	05-19-1992	Mastov et al.		
52	US- 5,137,295	08-11-1992	Peek		
53	US- 5,181,733	01-26-1993	Tague		
54	US- 5,209,509	05-11-1993	Gay et al		
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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				

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